



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CLYDE H. MEANS,

Plaintiff,

vs.

JAMES BENEDITTI, *et al.*,

Defendants.

3:-10-CV-00076-LRH-RAM

**ORDER**

This is an action that was removed by defendants from the Sixth Judicial District Court, Pershing County, Nevada on the basis of federal question jurisdiction. Defendants have filed a motion for screening (docket #2), requesting the court to review the complaint pursuant to 28 U.S.C. § 1915A. The motion shall be granted and the complaint shall be reviewed by this court prior to defendants being required to file their answer or other response to the complaint.

Plaintiff writes to the clerk to confirm his status as indigent based upon the state court's approval (docket #9). This shall be construed as a motion to proceed in *forma pauperis* which shall be denied without prejudice. Without the necessary supporting documentation, the court cannot confirm whether plaintiff qualified to proceed in *forma pauperis* in this court.

**IT IS THEREFORE ORDERED** that the motion for screening (docket #2) is **GRANTED**. The court shall review the complaint and determine if and when defendants must file their answer to the complaint.

1           **IT IS FURTHER ORDERED** that the plaintiff's "motion" to proceed in *forma*  
2 *pauperis* (docket #9) is **DENIED WITHOUT PREJUDICE**. Clerk shall send to plaintiff the proper  
3 form and instructions for application to proceed in *forma pauperis* in this court. Plaintiff shall submit  
4 the completed form for the court's consideration.

5           DATED: July 26, 2010.

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9 UNITED STATES MAGISTRATE JUDGE